

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

No. 5:24-CV-00347-FL-RN

AMBER RIVERA, Substitute party)
on behalf of Michelle Gonzalez,)
Deceased)
Plaintiff,)
v.)
FRANK BISIGNANO,)
Commissioner of Social Security)
Defendant.)

PLAINTIFF’S CONSENT PETITION
FOR ATTORNEY FEES
UNDER THE EQUAL
ACCESS TO JUSTICE ACT
28 U.S.C. § 2412

THIS MATTER comes before the Court on Plaintiff’s Motion for Attorney Fees pursuant to the Equal Access to Justice Act (“EAJA”), 28 U.S.C. § 2412, (Doc. No. 15), and supporting exhibits. Plaintiff indicates that Defendant has stipulated to this Motion. Having reviewed the Motion, supporting exhibits, and the case file, the Court determines that Plaintiff should be awarded attorney fees under EAJA, 28 U.S.C. § 2412(d), in the amount of \$4,800.00.

IT IS, THEREFORE, ORDERED that Plaintiff’s Motion for Attorney Fees, (Doc. No. 15) is GRANTED. The Court will award attorney fees in the amount of \$4,800.00, and pursuant to Astrue v. Ratliff, 560 U.S. 586 (2010), the fee award will first be subject to offset of any debt Plaintiff may owe to the United States. The Commissioner will determine whether Plaintiff owes a debt to the United States. If so, that debt will be satisfied first, and if any funds remain, they will be made payable to Plaintiff and mailed to Plaintiff’s counsel. If the United States Department of the Treasury reports to the Commissioner that the Plaintiff does not owe any debt, the Government will exercise its discretion and honor an assignment of EAJA fees, and pay those fees directly to

the Plaintiff's counsel, Aaron L. Dalton, Chad Brown Law, P.O. Box 4537, Mooresville, North Carolina 28117. No additional petition pursuant to 28 U.S.C. § 2412(d) shall be filed.

Signed: July 24, 2025

A handwritten signature in black ink, appearing to read "Louise W. Flanagan", is written above a horizontal line.

Louise Wood Flanagan
United States District Judge